

## RESOLUTION NO: 2008-11-02

**WHEREAS**, the City Of Leeds, Alabama has recently held municipal elections in which its Mayor and Council have been duly elected to serve a four year term beginning on the first Monday in November, 2008; and

**WHEREAS**, it is necessary that the Council establish and adopt rules of procedure to govern deliberations and meetings of the City Council; and


**WHEREAS**, The Code Of Ordinances, City of Leeds, Alabama (the "City Code") contains such rules of procedure in Chapter 2, Article II.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Leeds, Alabama, that the rules or order of procedure contained in Chapter 2, Article II of the Code of Ordinances, City of Leeds, Alabama are hereby adopted as the rules or order of procedure to govern deliberations and meetings of the City Council of the City of Leeds, Alabama, this the 3<sup>rd</sup> day of November 2008.

  
Eric Patterson, Mayor

Date: 11-3-08

Attest:

  
Kevin Fouts, Acting City Clerk

receive reasonable compensation, including compensation for expenses, on an itemized bill therefor certified to be correct, by said attorney.  
(Code 1948, § 24)

**Sec. 2-13. Smoking prohibited in city owned buildings and vehicles.**

(a) No person shall smoke or carry a lighted cigar, cigarette or pipe in any buildings or vehicles owned or utilized by the city, except as designated by the department head(s) with the approval of the mayor.

(b) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding one hundred dollars (\$100.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

(Ord. No. 96-03-01, §§ 1, 2, 3-4-96)

**Editor's note**—Ord. No. 96-03-01, §§ 1, 2, adopted Mar. 4, 1996, prohibited smoking in city buildings and city vehicles. Inasmuch as such ordinance did not specify manner of codification, the provisions were designated as § 2-14 by the editor.

**Secs. 2-14—2-19. Reserved.**

**ARTICLE II. COUNCIL MEETINGS**

**Sec. 2-20. Applicability of rules; altering, amending, suspending.**

(a) The rules or order of procedure herein contained shall govern deliberations and meetings of the city council.

(b) The rules of the council may be altered, amended or temporarily suspended by a vote of two-thirds ( $\frac{2}{3}$ ) of the members present.

(Ord. No. 337, §§ 1, 18, 10-7-68)

**State law reference**—Authority to prescribe, Code of Ala. 1975, § 11-43-52)

**Sec. 2-21. Regular meeting dates, time and place.**

Regular meetings of the city council shall be held on the first and third Mondays of each month, and shall convene at the hour of 7:00 p.m. at the city hall.

(Code 1948, § 23; Ord. No. 337, §§ 2, 5, 10-7-68; Ord. No. 547, § 1, 1-20-87; Ord. No. 571, § 1, 10-3-88)

**State law references**—Organizational meeting, Code of Ala. 1975, § 11-43-44; authority to determine time and place, § 11-43-49; at least two regular meetings a month required, § 11-43-50.

**Sec. 2-22. Special meetings.**

Special meetings may be held at the call of the mayor by serving notice on each member of the city council not less than twenty-four (24) hours before the time set for such special meetings; or special meetings may be held as provided by section 11-43-50, Code of Alabama 1975, whenever two (2) councilmen request in writing that the presiding officer call such meeting; upon the failure or refusal of the presiding officer to call such meeting when requested, the two (2) councilmen making the request shall have the right to call such meeting.

(Ord. No. 337, § 3, 10-7-68)

**Sec. 2-23. Meetings open to public.**

All meetings, regular and special, shall be open to the public. (Ord. No. 337, §§ 5, 16, 10-7-68)

**State law reference**—Executive or secret sessions prohibited, Code of Ala. § 13-5-1.

**Sec. 2-24. Quorum.**

A quorum shall be determined as provided by section 11-43-48, Code of Alabama 1975.

(Ord. No. 337, § 4, 10-7-68)

**Sec. 2-25. Order of business.**

The order of business shall be as follows:

- (1) A call to order;
- (2) Roll call;

- (3) Approval of the minutes;
  - (4) Reports of standing committees;
  - (5) Reports of special committees;
  - (6) Report of officers;
  - (7) Reading of petitions, applications, complaints, appeals, communications, etc.;
  - (8) Resolutions, ordinances, orders and other business.
- (Code 1958, § 12; Ord. No. 337, § 6, 10-7-68; Ord. No. 445, § 1, 10-6-80)

**Sec. 2-26. Duties of clerk.**

It shall be the duty of the city clerk to keep the minutes of the council meetings and record same in a permanent book to be provided by the city, and to supervise the publication of all ordinances and resolutions and record all ordinances and resolutions, and affix certificate thereof, showing the

time and manner of publication which, he shall sign officially. (Code 1948, § 22)

State law reference—Similar provision, Code of Ala. 1975, § 11-43-100.

**Sec. 2-27. Attending by officers and employees.**

The city clerk, superintendent of city services, attorney, chief of police and such other officers or employees of the city shall, when requested, attend all meetings of the council and shall remain in the council room for such length of time as the council may direct. (Ord. No. 337, § 21, 10-7-68)

State law reference—Compelling attendance of council members, Code of Ala. 1975, § 11-43-51.

**Sec. 2-28. Fining of officer for failure to report.**

Every officer, whose duty it is to report at the regular meetings of the council, who shall be in default thereof, may be fined at the discretion of the council. (Ord. No. 337, § 9, 10-7-68)

State law reference—Authority of mayor to require reports, Code of Ala. 1975, § 11-43-84.

**Sec. 2-29. Calling for substitute presiding officer.**

The presiding officer of the council may, at his discretion, call any member to take the chair, to allow him to address the council, make a motion or discuss any other matter at issue. (Ord. No. 377, § 14, 10-7-68)

**Sec. 2-30. Motions, resolutions and ordinances—Reducing to writing.**

Motions shall be reduced to writing when required by the presiding officer of the council or any member of the council. All resolutions and ordinances shall be in writing. (Ord. No. 337, § 10, 10-7-68)

**Sec. 2-31. Same—Adoption at one meeting.**

No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless

unanimous consent be obtained for the immediate consideration of such ordinance or resolution; such consent shall be by roll call and the vote thereon spread on the minutes. (Ord. No. 337, § 22, 10-7-68)

State law reference—Similar provisions, Code of Ala. 1975, § 11-45-2(b).

**Sec. 2-32. Same—Lying over of money measures.**

All ordinances, resolutions or propositions submitted to the council which require the expenditure of money shall lie over until the next regular meeting; provided, such ordinances, resolutions or propositions may be considered earlier by unanimous consent of the council; and provided further, this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the city. (Ord. No. 337, § 20, 10-7-68)

State law reference—Enactment of ordinances and resolutions, Code of Ala. 1975, § 11-45-1 et seq.

**Sec. 2-33. Permission for nonmember to address chair.**

No person, not a member of the council, shall be allowed to address the same while in session without permission of the presiding officer. (Ord. No. 337, § 8, 10-7-68)

**Sec. 2-34. Motions to reconsider.**

Motions to reconsider must be by a member who voted with the majority, and at the same or next succeeding meeting of the council. (Ord. No. 337, § 11, 10-7-68)

**Sec. 2-35. Recording of vote.**

Whenever it shall be required by one or more members the "yeas" and "nays" shall be recorded; and any member may call for a division on any question. (Ord. No. 337, § 11, 10-7-68)



**Sec. 2-36. Deciding questions of order.**

All questions of order shall be decided by the presiding officer of the council with the right of appeal to the council by any member.

(Code 1948, § 13; Ord. No. 337, § 11, 10-7-68)

**Sec. 2-37. Motions to lay on table; priority of questions.**

Motions to lay any matter on the table shall be first in order; and on all questions, the last amendment, the most distant day, and the largest sum shall be first put.

(Ord. No. 337, § 15, 10-7-68)

**Sec. 2-38. Motion for adjournment.**

A motion for adjournment shall always be in order.

(Ord. No. 337, § 17, 10-7-68)

**Sec. 2-39. Fining of council members for unexcused absences.**

Council members will be assessed fifty dollars (\$50.00) for each unexcused absence from a regular meeting of the council. Bases for unexcused absences will be determined by a majority of the council.

(Ord. No. 445, § 2, 10-6-80)

**Sec. 2-40. Approval of expenditures.**

All expenditures will be approved by the chairman of the finance committee, or a member of the committee in his absence, and an itemized list of approved expenditures will be given to each member of the council at the next regular meeting.

(Ord. No. 445, § 2, 10-6-80)

**Sec. 2-41. Parliamentary authority.**

Robert's Rules of Order Newly Revised is the parliamentary authority.

(Ord. No. 445, § 2, 10-6-80)

**Sec. 2-42. Agenda.**

(a) The mayor or any member of the city council can place an item on the agenda for the upcoming city council meeting, for consideration by the council as a whole, by submitting same to the city clerk prior to publication of the council agenda.

(b) After publication of the council agenda by the city clerk, no item can be placed or added to the agenda which requires council action unless two-thirds of the members present vote to amend the agenda to add said item.

(Ord. No. 628, §§ 1, 2, 10-20-92)

**Secs. 2-43–2-50. Reserved.**

**ARTICLE III. BOARDS AND COMMISSIONS****DIVISION 1. GENERALLY**

**Secs. 2-51–2-60. Reserved.**

**DIVISION 2. TREE COMMISSION\*****Sec. 2-61. Established.**

There is hereby established a tree commission, and the mayor with the concurrence of the council, shall appoint to the tree commission two (2) members of the council and the mayor shall serve as an ex officio member. The council members' term shall expire on the date that a newly elected council shall take office. In addition, the mayor shall appoint, with the concurrence of the council, six (6) additional persons in the City of Leeds, two (2) of whom shall be appointed for one (1) year, two (2) of whom shall be appointed for two (2) years, and two (2) of whom shall be appointed for three (3) years, and following the initial appointment, two (2) members shall be appointed annually to serve for a period

\*Editor's note—Nonamendatory Ord. No. 495, §§ 1–3, adopted Dec. 3, 1984, establishing a tree commission, has been included herein as Div. 2, §§ 2-61–2-63, at the discretion of the editor.

Cross references—Planning, Ch. 16; streets, sidewalks, etc., Ch. 17.